

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

June 14, 2007

The Planning Commission of the City of Strongsville met in the Caucus Room at the Strongsville Municipal Building 18688 Royalton Road, on **Thursday, June 14, at 7:30 p.m.**

Present: Planning Commission Members: Jeffrey Ice, Charlene Barth, Gregory McDonald, Mary Jane Walker, Thomas Stehman. Council Representative: Raymond Haseley. Administration: Mayor Thomas P. Perciak, Assistant Law Director, Daniel Kolick, Design Engineer, Lori Daley, Building Commissioner, Anthony Biondillo, Fire Department Representative, Lt. Randy French, Architectural Review Board Representative, William Boron.

The following was discussed:

REAM BUILDERS OF CASTLEWOOD: Mrs. Daley stated that this is the entryway sign for the Castlewood Subdivision. It will be on one of the sublots but within a landscape and sign easement. There is no report from the City Planner and from Engineering it is in approvable form. Mr. Biondillo stated that it was in approvable form. Mr. Boron stated that the ARB did grant Favorable Recommendation on the sign however their suggestion was to look at changing some of the colors and the applicant stated that they would consider it. Mr. Kolick stated that he was waiting for a revised easement that he was supposed to receive tonight and stated that if he did not receive that, that any motion would have to be subject to that. Mr. Biondillo stated that ARB did approve the colors on it but that Bob Ream was going to go back and make sure that was the color that they used on their publications and advertising.

MESSAGE ENVY: Mrs. Daley stated that the City Planner reported that Section 1258.04 Use Regulations states; Shopping Center District includes; "all personal service establishments without limitations on the number of persons engaged in such work." Engineering had no report. Mr. Biondillo stated that it was in approvable form. Mr. Boron stated that the ARB did give Favorable Recommendation for the site plan and the materials match the mall. Lt. French stated that the Fire Department had an agreement with Westfield to get a knox box on the side of the front door and that they would like to see it on the front of this building. Mr. Kolick stated that the applicant confirmed that it was not a spa and that they were just doing massages. He stated that it was in approvable form.

WESTFIELD/SOUTHPARK MALL: Mrs. Daley stated that this was a Revision to the Master Sign Program for Westfield for the Massage Envy. There was no report from the City Planner or Engineering. Mr. Biondillo stated that there was no report from Building.

Mr. Boron stated that the ARB did give Favorable Recommendation to add Massage Envy to their Sign Program. Mr. Kolick stated that if approved it would need to move on to City Council.

K & F PROPERTIES STRONGSVILLE: Mrs. Daley stated that they had made a couple of revisions since the last review. They have taken out the doors on the south side so there is a little bit more room for vehicles. They did add an unloading area which is spaced for an 8' x 54' semi truck. We are not sure if that is something that will be parked there all the time or just making drop offs and pick ups so we would like more information on that. There is still the parking issue. From the City Planner, Total Parking Required is 357 spaces, for the retail, Bally's and Kartel's. They are providing 336 spaces and they are deficit 21 spaces. From Engineering, we still have a concern with the flow of traffic in the rear of the building. There is no parking provided for people dropping off items and we are concerned that cars will just stop to drop off and may obstruct other cars and trucks from passing by. They say that this is going to be a manned door but we know that people are going to want to make drop offs when nobody is there and we are concerned with that. Mr. Haseley asked if they would have to go around Kartel's. Mrs. Daley replied that they would. Mrs. Daley asked the representative if the semi was going to be a permanent structure there. The representative stated that in the lease they would not be able to leave the truck there overnight. The truck is there only to drop off and then pull away. He stated that was one of the changes that they made. They ramped the garage doors on the inside so that they could get a tow motor in there to unload the truck and bring everything back in and then the truck will leave. That is a restriction in the lease and we furnished you a copy of that. Mr. Kolick asked if the truck would be there during the day and pulled out at night. The representative stated that it was there for only a certain amount of hours while it was being unloaded. It is not a permanent space or a permanent space for a truck. It is just a space so that they can load and unload the truck. Mrs. Barth asked how big that vehicle would be. The representative stated that it would be a tractor trailer. Mrs. Barth asked if there was enough clearance to get around there. Mr. Haseley stated that it was tight but that they can. The truck would be here and moving every day. He asked the representative for confirmation of this. The representative stated that they typically use a box truck but that on the plans they were showing the worst case scenario and occasionally they do have a tractor trailer in as they were told by the Good Will. Mr. Biondillo stated that he went to site, this is the elevation that we are looking at here, where this vehicle is parked. I wanted to give you some perspective on this and the room of the vehicle coming down this one way. You can't fit two vehicles in here as you approach this corner. This is the vehicle parked as if there is going to be an overhead door here so if you have a couple of vehicles there you are going to considerably restrict the flow around there. They relocated a door from here into here to meet the egress requirements inside here. They originally had them on the

side which they had to come out and ramp down which closed this area off further. They pulled that off here and moved another one around the back side of the building which would be over here. We are going to have to protect this so that we don't get parking in that area if this is approved so that nobody blocks either one of those doors, the existing door and the new one going in. Mr. Haseley asked if that was a drop off area. Mr. Biondillo replied that it was not. He stated that there was an exit door coming out of one of the other spaces. This is something to consider if this is being a drop off. Typical what happens at these places and our concern obviously is that the general public is going to drop off and leave their materials or goods overnight. Mr. McDonald asked if that was happening at the Salvation Army. Mr. Biondillo stated that it was. Mr. Kolick stated that was a different setup. Mr. Biondillo stated that they did not have an enclosed dumpster on this site which would also have to be put within this area. When you park a vehicle in here with the dumpster, you don't have too many more options to locate those. Something to consider where you are installing the 8' overhead door is to open it up a little further, put the dock internal to the building and make a drop off area not as an arched opening. The Mayor asked if any of the other stores had a drop off in the back. Mr. Biondillo stated that they just had doors. Mayor Perciak asked why would docks and trucks be ok there when there are residents living behind there. Mr. Biondillo stated that they were just egress doors coming out. Mayor Perciak asked where the resident's homes were located and stated that he did not think that it was a good idea. There was Board discussion on the traffic flow around the building. Mr. Haseley asked if the drop off area was manned all weekend. The representative stated that it was manned when the store was open and that the store was open on the weekend but not 24 hours a day. He also stated that there was a call button if anybody needed help. He stated that the Good Will told him that if anybody came with a drop off that they would go out and help them sort through and put these materials into bins as they came in. If a car comes in there would be an attendant there to help them unload. Mrs. Barth asked if the trailer was here for 15 or 20 minutes and there was a fire, where would the fire truck go? Lt. French stated that the Fire Marshall has some very strong concerns about circulation around this building. Right now as it stands a fire truck can get around there. With a trailer up against the building it is going to be pretty tight. Originally they had the gate put on the side of the building because the public was going behind that building and they did not want people congregating back there, I think some of the residents were complaining. Mr. Haseley confirmed that there were a lot of complaints. Lt. French stated that weekend drop offs when the store is closed, people will be dropping stuff off on the weekends too. The Fire Marshall does not want combustibles stored against the back of the building; it's not a good situation. Mr. Stehman asked if the Salvation Army had bins in the back of their building to store dropped off materials. Lt. French stated that they did and that they were overflowing. He stated that the difference with the Salvation Army is that they are a stand along building. If a problem happens there it is going to only affect that building. He stated that at this site there is

no space for the bins. Mr. Stehman asked if they were going to light that area. Mr. Kolick stated that they would have to be careful about that because of the residents. Mr. Haseley stated that during the week and on Saturdays all the businesses are getting deliveries back there. They don't deliver at the front door and he was not sure if there is room for all that back there. Mr. Ice stated that there was still a parking issue and it needed to go to BZA. Mr. Kolick stated that this area lost 79 spaces when the Rite Aid came in. They gained some but they lost those and it was permitted because the theatre was operating at different hours than the retail establishments. This will operate the same hours as the other retail establishments so parking is going to be an issue. Mayor Perciak stated that Balley's is also located there and that is busy first thing in the morning and from 4:00 to 8:00 p.m. Mr. Kolick stated that it had to be denied but that we needed to get that back to the client to let him know all the problems that the Board had with this application.

LAMRITE WEST INC.: Mrs. Daley stated that this is a split and consolidation for Lamrite West at the corner of Drake and Prospect. They are going to split off the 200 x 398 piece and consolidate it with the parcel to the west. There is existing parking on this parcel right now and we have spoken with Mike Catan and they are going to tear that parking out. They don't need it. Mr. Hill looked at the parking for this existing building and there is sufficient parking even after they remove the lot. From the City Planner, both Parcel "AA" and "BB" will meet or exceed the required lot width (200') and lot area (2 acres) in a General Industrial (GI) zoning district. From Engineering, the split is in approvable form. Mr. Biondillo stated that from Building there was no report. Lt. French stated that there was no report from Fire. Mr. Kolick stated it could be approved subject to tearing out the parking lot.

SIEDEL FARMS: Mrs. Daley stated that this is Phase 2 of Siedel Farms. It is 7 cluster units that are going in. From the City Planner the location of the proposed cluster area (Phase 2) is in accordance with the Preliminary Development Plan approved by the Commission on 5/12/05. The Cluster Site Plan includes seven (7) detached Single Family dwelling units served by a short cul-de-sac street which includes a sidewalk. The Cluster area is surrounded by common open space area. Each dwelling unit includes two (2) enclosed garage spaces and driveway area for the off-street storage of two (2) vehicles. Two (2) guest parking spaces area also included. The building setbacks meet the requirements of Sec. 1252.32 of the Zoning Code. The Building Commissioner should determine if a building separation of less than 10' is acceptable for units 42 through 47. On the Tax Split Map there is no report. From Engineering, plans and calculations have been submitted to the engineering department and are under review. At this time we have the following comments: Six decks are shown over the rear building line. Of those 6, 2 are within the allowable setback as permitted in 1252.16 (e) of the codified ordinances. The remaining 4 are only 9.5' off the rear

property line, where a minimum of 10' is required by code. The Tax Split Map is under review in the Engineering Department. Mr. Biondillo stated that as Mrs. Daley said we require a 10' separation between these so that we don't have to worry about the rating about the interior of these walls or any openings projected so we want to maintain at least 10'. You can offset it between lots if you have 6' and 4', I don't know what the minimum side yard is on it. As indicated on the plat, these decks that do encroach that rear yard setback line, we want a restriction on plat letting the owners know that they can't come back and put an enclosure on later. Mr. Bender stated that was what they had done in the past on those. The Engineer did not do it on this landscape plan but you can see that these units were drawn extremely deep. They do not need to be that deep so we will come back with a revised landscape plan showing the units pushed back because they are all cul-de-sac lots. That is what makes these so attractive. If we slide back 5' then we will pick up the clearance. Those are shown at 2600 SF. They will probably not be that big. We did not put on our application but we would like to request for the curb to be a rolled curb. Mr. Kolick stated that they would need to be sent to the ARB.

AT & T – 17449 SPRAGUE ROAD: Mrs. Daley stated that this is an AT & T box at the corner of Pearl and Sprague. This cabinet will be located within the right-of-way. There is an existing cabinet out here in an easement. From the City Planner there is no report. From Engineering it is in approvable form. It won't interfere with any of the existing utilities out there, sidewalk or any drainage. Mr. Biondillo stated that there was no report from Building. Lt. French stated that there was no report from Fire. Mr. Kolick stated that this would need to be moved over to ARB.

WILLIAM NARROWS: Mrs. Daley stated this is a lot split for a parcel on 130th just north of Boston. They are going to split out an 82 x 300' lot and leave the remaining piece. The remaining piece has the 75' frontage necessary in case they should want to come in and split this off and consolidate with any of the other parcels there. From the City Planner, they do meet the zoning requirements. From Engineering, there is an existing shed and barn that are on that remainder parcel that will have to be removed. Mr. Biondillo stated he would like a commitment to have those two structures removed before the filing of the plat. The representative asked what the purpose of having them removed would be. Mr. Biondillo stated that accessory structures are not allowed on a parcel when there is no building. Mr. Kolick stated that they could not keep those structures on there unless the structures could be removed to the current home site. The representative stated that the small building could be moved but that the other building was a permanent building. She stated that the building was there in 1957 when the lot was bought. Mr. Kolick stated that as long as it was one lot that is ok. The problem is that you are cutting it off and separating it from you home. The

representative stated that it was there before there was any house or anything. Mr. Kolick stated that may have been ok in 1957 but that is not ok now. The representative asked if it would be possible to go to BZA on that issue. Mr. Kolick stated that they could ask BZA for a variance but he felt they might not grant that because they were going to create a whole new lot. The Board asked what the plans for that lot were. The representative stated that her father is elderly and he wants to move next door to her sister and they want to sell the house. They don't want to sell all the land. People seem to be interested in the house. We thought that we would keep the tractors in the barn so that we could cut the grass but eventually we are probably going to sell this land. Mr. Kolick stated that the shed and structure would come down anyway. The representative stated the shed could be moved up to the house. Mr. Kolick stated it could be denied and go to BZA and they could tell them what they wanted to do and give them a deadline on how long that shed would be there. The representative stated that one of the purposes was having a conforming lot on the vacant piece with the intent to sell it off later on and build another house sometime in the future. This could be approved tonight and a year after to file the plat with a condition to take the garage down. Mr. Kolick stated yes, we could wait and hold the plat until you would take them down, if you want to wait a year to do it. You can get it approved. We don't have to file the plat right away. You won't be able to sell the home until you file the plat. The representative stated he just put a lot of money into that building. Mr. Kolick stated that those were their options. Mayor Perciak stated that they needed to tell the Board what they wanted to do and asked if they wanted to proceed or did they want it to be Tabled or Deny it and send it to BZA. The representative asked for clarification of the process to proceed to BZA. Mr. Kolick explained the process and time frame. Mayor Perciak asked if they were planning to sell that lot in the future. The representative stated that they were going to try. The whole thing was put on the market but nobody wants all the land and the house. Mayor Perciak suggested proceeding tonight and if there was a deal on the house the plat would have to be filed and the buildings taken down. It is more important that you get that split. You will have to market the lot separately. Mr. Kolick stated that we could go forward tonight and grant the split subject to those two structures coming down; you can see how your marketing is going and determine by that when you want us to file the plat. The representative was ok with that.

IMPERIAL DIE: Mrs. Daley stated this is a small parking lot addition to the Imperial Die on the north side of Route 82 across from Marks. They are going to increase their parking lot. From Engineering they are in approvable form. From the City Planner, the proposed expansion will meet the 10' setback. Mr. Biondillo stated that we currently have the cutoff fixtures along the building. I don't think they need to go to the ARB and get a lighting report. If they just put one more here I think that will illuminate this proposed concrete area enough to satisfy our lighting requirements. Lt French stated

that there was no report from Fire. Mr. Kolick stated that it should be made subject to the lighting requirements of the Building Department.

The meeting was called to order at 8:00 PM by the Chairman, Mr. Ice.

Roll Call:

Members Present: Mr. Ice, Chairman
Mrs. Walker
Mr. McDonald
Mr. Stehman
Mrs. Barth
Mr. Haseley, Council Rep.
Mayor Perciak

Also Present: Mr. Biondillo, Bldg. Com.
Mr. Foulkes, Asst. Bldg. Com.
Mrs. Daley, Design Engineer
Mr. Krenser, Design Engineer
Mr. Kolick, Asst. Law Dir.
Lt. Randy French, Fire Dept
Mr. Boron, ARB Chairman
Kathy Zamrzla, Rec. Secy.

REVISED AGENDA

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – I move to use the Amended Agenda for this evening.

Mrs. Walker – Second.

Mr. Ice – Secretary please call the roll.

Roll Call:

All Ayes

APPROVED

Approval of Minutes

Mr. Ice – You have had a chance to review the minutes of May 24, 2007. If there are no additions or corrections they will stand as submitted.

FINAL APPROVALS:

REAM BUILDERS OF CASTLEWOOD, LLC./ Robert Ream, Principal

Subdivision Entranceway Landscape and Signage Plan for the Castlewood Subdivision entrance located at 9410 Prospect Road, PPN 391-14-108 zoned R1-75.

Mr. Ice - Item Number One, Ream Builders of Castlewood. Please state your name and address for the record.

Mr. Ream – Bob Ream, Ream Builders of Castlewood, 30119 Lorain Road, North Olmsted, Ohio.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, there is no report. From Engineering the plans are in approvable form.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, the plans are in approvable form. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB did give Favorable Recommendation on June 12, 2007 for the ground sign. However, there was a suggestion made at the meeting to possibly consider different colors for the sign. That was left up to the applicant. If they would like to change the colors, that would be a Building Department decision at the time of the permit. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire there is no report. Thank you.

Mr. Ice - Thank you. Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman, I just received from Mr. Ream after the caucus, the revised easement so that is now in order. That is an easement going to the Homeowners Association to maintain the signage and be liable for any problems with the signage. Thank you.

Mr. Ice - Thank you. Any other questions, or comments?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Subdivision Entranceway Landscape and Signage Plan for the Castlewood Subdivision entrance located at 9410 Prospect Road, PPN 391-14-108 zoned R1-75.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

MESSAGE ENVY LTD. /David Mann, Agent

Site Plan approval for a new 2,980 SF tenant space to be used for a massage clinic for property located at 500 South Park Center, Part of PPN 396-20-001 zoned Shopping Center.

Mr. Ice – Item Number Two, Massage Envy. Please state your name and address for the record.

Ms. Thornton – Mariliza Thornton, Mann Architects, 3660 Embassy Parkway, Akron, Ohio 44333, here for the site plan approval for a new 2,980 SF tenant space to be used for a massage clinic.

Mr. Ice – We will listen to the administration reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner Section 1258.04 Use Regulations states; Shopping Center Districts includes; “all personal service establishments without limitations on the number of persons engaged in such work.” There is no report. From Engineering, there is no report. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, the plans are in approvable form.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB did give Favorable Recommendation on 6/12/07. They did match all the existing materials and colors of the mall. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, we have a previous agreement with Southpark Center to incorporate a key knock box in the face of this part of the building. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. We did confirm at the last meeting that this was not a spa, that they were just only doing massages at the establishment so that is a permitted use. If you move forward to approval it should be made subject to the Fire Department's report this evening. Thank you.

Mr. Ice - Thank you. Any other questions, or comments?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Site Plan approval for a new 2,980 SF tenant space to be used for a massage clinic for property located at 500 South Park Center, Part of PPN 396-20-001 zoned Shopping Center, subject to the report of the Fire Department.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Thank you.

WESTFIELD/SOUTHPARK MALL/ Larry Powers, Agent

Amendment to the Master Sign Program for Westfield Shoppingtown SouthPark Mall adding (1) sign (M55) for Massage Envy, property located at 500 SouthPark Center, PPN 396-20-001 zoned Shopping Center.

Mr. Ice – Item Number Three, Westfield/Southpark Mall. Please state your name and address for the record.

Mr. Vacanti - Anthony Vacanti with Buckingham, Doolittle and Burroughs, 1375 E. 9th Street, Cleveland, Ohio an Attorney with Buckingham, Doolittle and Burroughs. We represent Westfield Southpark and we are here for final approval of our amendment to the Master Sign Program.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering, there is no report. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, there is no report.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB did give favorable recommendation to the amendment of the Master Sign Program to add Massage Envy. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, there is no report. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. If granted approval tonight, this would need to be confirmed by City Council since it is an amendment to the Master Sign Program.

Mr. Ice - Thank you. Any other questions, or comments?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for the Amendment to the Master Sign Program for Westfield Shoppingtown SouthPark Mall adding (1) sign (M55) for Massage Envy, property located at 500 SouthPark Center, PPN 396-20-001 zoned Shopping Center.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Thank you.

K & F PROPERTIES STRONGSVILLE, LLC/ John Picard, Agent

Site plan approval for renovations to the existing Strongsville Theatre site for a future retail tenant to be located at 14767 Pearl Road, part of PPN 396-19-001 zoned General Business.

Mr. Ice – Item Number Four, K & F Properties. Please state your name and address for the record.

Mr. Picard – John Picard, Architect for the project, address is 720 McKinley Avenue, Canton, Ohio.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner the Total Parking Required is 357 spaces, for the retail, Bally's and Kartel's. They are providing 336 spaces and they are deficit 21 spaces. From Engineering, we still have a concern with the flow of traffic in the rear of the building. There is no parking provided for people dropping off items and we are concerned that cars will just stop to drop off and may obstruct other cars and trucks from passing by. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, we too have concerns over some of the parking issues and the type of operations that is proposed here. We would require some level of lighting to protect that area so it doesn't become a nuisance and

also to allow our Police Department to properly patrol that area. We also have to be aware of the residential properties immediately adjacent to that area. The proposed new location of one of the exit doors on the west wall would have to be protected. I also see that ramp comes out, I think the end of it is right around the end of the building so we would have to protect the discharge landing portion of that as well. Also need to put something in to prevent vehicles from parking up against those doors and blocking them. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, the Fire Marshall is still reviewing this plan. He has some serious concerns about the use proposed for this area. Another area in town here that we have an almost same use is a separate building with better circulation around it. The proposal that the rear tractor trailer in the back, the east wall of this building would restrict the Fire Department access around this building. It's already narrow and it will be making it even more narrow. He has concerns about unattended hours on weekends when the people will be dropping off extra material that will not be immediately taken care of and will be accumulated in this area, which will also restrict the access around this building. Also having combustible material stored around this building on the outside and not being removed timely for that weekend. Fire Marshall, as I said, is still reviewing these plans but he has some very serious concerns about it. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. You will note that we have had complaints about noise and activity behind this building in the past. That is the reason that we had that gate installed. Now they are talking about removing that gate and increasing the activity back there, so it is sort of going to run contrary to the problems that we had before. As you know, this abuts a residential area there in the back. If we need more lighting for this, that is also going to cause more problems with the abutting residents so for those reasons that have been enunciated by the various administrative departments and also by the fact that it is under parked and the parking as you will recall, we permitted before because the theatre was operating at different hours. I understand from the applicant that this will be a daytime operation. They are going to be operating at the same hours and in addition to that they lost about 75 spaces when the Rite Aid came in there. So parking as indicated by our City Planner is going to be a problem with this site, with this particular use so with that at any rate, you won't have any choice but to deny it, since it does not meet the provisions of the code.

Mr. Ice - Thank you. Any other questions, or comments? I hope the message is clear here, there are a lot of issues here.

Mrs. Barth – Mr. Chairman.

Mr. Ice – Mrs. Barth.

Mrs. Barth – I would just like to add that as a former Councilman, I can attest to the issues that we have as residents there as well as that this type of use encourages activity, invites activity, unwanted activity back there in the evening. People a lot of time at night they say that they will drop off boxes and things and they leave them unattended so it encourages other people to come back there and pilfer through that. I think that we have another issue there and with the adjacency to the residents, it brings that activity there as well.

Mr. Ice – Thank you. Any other comments?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Site plan approval for renovations to the existing Strongsville Theatre site for a future retail tenant to be located at 14767 Pearl Road, part of PPN 396-19-001 zoned General Business.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Nays DENIED

Mr. Ice – Ok so you will need to get on to BZA's Agenda. Thank you.

NEW APPLICATIONS/SUBDIVISIONS:

LAMRITE WEST INC./ Mike Catan, Principal

Parcel Split and Adjoinment of PPN 396-06-004 and 008 zoned General Industrial.

Mr. Ice – Item Number Six, Lamrite West Inc. Please state your name and address for the record.

Mr. Hoffman – George Hoffman, 24 Beech Street, Berea, Ohio 44017.

Mr. Innes – Brian Innes, Lamrite West, 13000 Darice Parkway, Strongsville, Ohio 44149.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner The request is to split a 200 x 398.12' portion of PPN 396-06-004, 4A and 7 (Parcel "AA") and attach same to adjacent parcel PPN 396-06-008 (Parcel "BB") Parcel "BB" will have 200' frontage along the north side of Drake Road and 239.54' frontage along the west side of Prospect Road; and, a lot area of 22.4 acres. The remainder (Parcel "AA") will have 380' of frontage along the north side of Drake and 701' along Prospect Road; and , a lot area of 14.9 acres. Both Parcel "AA" and "BB" will meet or exceed the required lot width (200') and lot area (2 acres) in a General Industrial (GI) zoning district. No report. From Engineering, the split is in approvable form. I just want to point out that the proposed parcel line will intersect an existing parking lot. I am told that the applicant is going to be removing that parking lot. We did have our City Planner look at the available parking for the existing building and found that there is ample parking even with the removal of this parking. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, there is no report.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, there is no report.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. This Item, like one we have later on the Agenda, would have an accessory use on another parcel without a main use, that is not permitted. The only way we can grant this is with the contingency as noted in the Engineering report that they remove the parking lot which is the applicant's intention. With that you can go forward and act on it. Thank you.

Mr. Ice - Thank you. Any other questions, or comments?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Parcel Split and Adjoinment of PPN 394-06-004 and 008 zoned General Industrial, subject to the removal of the existing parking lot.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Thank you.

SIEDEL FARMS SFD & CD SUBDIVISION / Chris Bender, Siedel Farms Developers

a) Preliminary and Final Subdivision Plan approval for the proposed Siedel Farms SFD & CD Subdivision, Phase 2, to consist of 7 Cluster Sublots; property located on Westwood Drive, PPN's 392-15-001 and part of PPN 392-13-001, 002 and 004 zoned RT-C.

b) Tax Split Map for Phase 2, 7 Cluster Units into the existing Siedel Farms SFD & CD Subdivision, PPN's 392-15-001 and part of PPN 392-13-001, 002 and 004 zoned RT-C.

Mr. Ice – Item Number Seven, Siedel Farms. Please state your name and address for the record.

Mr. Bender – Chris Bender of Siedel Farms Developers, 13370 Prospect Road, Strongsville, Ohio 44149.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner the location of the proposed cluster area (Phase 2) is in accordance with the Preliminary Development Plan approved by the Commission on 5/12/05. The Cluster Site Plan includes seven (7) detached Single Family dwelling units served by a short cul-de-sac street which includes a sidewalk. The Cluster area is surrounded by common open space area. Each dwelling unit includes two (2) enclosed garage spaces and driveway area for the off-street storage of two (2) vehicles. Two (2) guest parking spaces area is also included. The building setbacks meet the requirements of Sec. 1252.32 of the Zoning Code. The Building Commissioner should determine if a building separation of less than 10' is acceptable for units 42 through 47. On the Tax Split Map there is no report. From Engineering, plans and calculations have been submitted to the engineering department and are under review. At this time we have the following comments: Six decks are shown over the rear building line. Of those 6, 2 are within the allowable setback as permitted in 1252.16 (e) of the codified ordinances. The remaining 4 are only 9.5' off the rear property line, where a minimum of 10' is required by code. Just want to point out though, behind those four is the Common Area. The Tax Split Map is under review in the Engineering Department. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, as discussed during the caucus with the applicant, the applicant has indicated that they will be pulling the front setback of those buildings back to meet the 10' separation requirement between the units. Additionally, the applicant indicated that there is going to be a notation on the final plan, indicating to the future owners that the rear decks can not come back at some time in the future with an enclosed sunroom or something to that nature. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, the plan as submitted is not approvable to Fire only because of the less than 10' separation of the buildings but as indicated in caucus, that will be changed. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. This is part of the overall Siedel Farms, those Covenant and Deed Restrictions already bind the property. Additionally they are going to join this smaller cluster to the other cluster and they have given me the documents to join it into the other cluster and our Engineering Department is looking at the legal description. They will be paying the recreation fee on this because there is no recreation in that subdivision. Today you can send it to the ARB, just a reminder to put the language on the plat and we have language at the City that you can use, Chris,

indicating that they can't either roof or wall in those decks. For tonight we need to move Item "A" to the ARB and Item "B" we can just Table at this point until they get through ARB. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok we will send you to the ARB on Item A and we will Table item B.

AT & T/ Thomas J. Fogarty, Agent

Site plan approval for an above ground electronic telephone equipment cabinet with pedestal to be located in the public right-of-way at 17449 Sprague Road, PPN 395-05-016 zoned Public Facility.

Mr. Ice – Item Number Eight, AT & T. Please state your name and address for the record.

Mr. Williams – Mike Williams representing AT & T, 13630 Lorain Avenue in Cleveland. Looking for site plan approval to place an above ground cabinet at 17449 Sprague.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering, this proposed box will be located within the right-of-way just in front of an existing box. The plans are in approvable form. The cabinet will not obstruct any drainage, existing utilities or have any sight line interference. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, the plans are in approvable form. Just a note, in discussing this at the ARB with the City Forester, she has received absolutely no cooperation with AT & T or your landscaper when it come to existing facilities and maintenance of any landscaping at those facilities. She left several messages for contact through AT & T and also several messages for the landscape contractor and never receives return calls.

Mr. Ice – Does anybody get on them about the building down on Pearl Road, the AT & T Building?

Mr. Biondillo – I'm not sure what you are asking.

Mr. Ice – Didn't that come up before about landscaping down there?

Mr. Biondillo – We have brought this up several times during the submission of many of these along the way.

Mr. Kolick – Mr. Chairman, I have also talked to the City Forester and I told her that we were going to make up a listing of all of those sites that we are having problems with. We are going to turn it over to AT & T and I hope that they voluntarily take care of these problems or we may need to take some kind of enforcement action. So can you convey that back to the powers to be?

Mr. Williams – Yes, I will.

Mr. Kolick – You are asking us for some cooperation in getting these new boxes in, you have to cooperate with us too in taking care of some of these problems.

Mr. Williams – I agree. I was not aware of that. I have not talked to the City Forester. I will convey that. I will give her a call tomorrow.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, there is no report from Fire.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. It needs to go to ARB, we can't act on this. Again, I would hope that they would correct some of these other problems or start there before they come here and ask us for approval of other boxes. This is also in the public right-of-way so ultimately it would need the approval of City Council as well. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok we will send you over to the ARB.

WILLIAM NARROWS/ Kathy Horchy, Agent

Parcel Split of PPN 399-33-014 to create an 82' x 300' parcel for property located at 19074 West 130th Street, zoned R1-75.

Mr. Ice – Item Number Nine, William Narrows. Please state your name and address for the record.

Mr. Ovchenski – Mark Ovchenski, 3321 Kensington Drive, Avon, Ohio.

Mrs. Horchy – Kathy Horchy, 19074 W. 130th Street, Strongsville, Ohio.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner the request is to split an 82.4 x 260' parcel (Parcel "A") from PPN 399-33-014 (Parcel "B"). Parcel "A" will have 82.04' of frontage along the west side of W. 130th St. and lot area of 21,318.3 SF. The remainder (Parcel "B") will have a lot width of 75' along W 130th and lot area of 3.85 acres. An existing barn and shed are located on the parcel. Both Parcel "A" and "B" will meet the minimum lot width (75') and lot area (12,750 SF) in an R1-75 zoning district. From Engineering, the split is in approvable form. Again just to point out, there will be a barn and shed located on PPN 399-33-014, which is the remainder Parcel "B". Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, due to the parcels split, we are required to indicate that those existing structures have to be removed. There were some options that were discussed during the caucus for the applicant. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, there is no report. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. Just like the previous item, this split as noted would leave this shed and barn on a separate structure which is not permitted in the ordinances. If we go forward we would need to make it subject to the shed and other structure on there either being removed to the current lot where the home is or demolished. Thank you.

Mr. Ice - Thank you. Any other questions, or comments?

Mr. Ovchenski – Mr. Chairman, just to clarify that the City would hold the plat until the applicant requested that it be filed and that buildings need not be demolished until that point in time.

Mr. Kolick – That is correct up to one year.

Mr. Ovchenski – Up to one year, ok.

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration to Parcel Split of PPN 399-33-014 to create an 82' x 300' parcel for property located at 19074 West 130th Street, zoned R1-75 subject to the removal of the two existing structures on Parcel "B".

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Thank you.

IMPERIAL DIE & MANUFACTURING/Ken Lapossey, Principal

Site plan approval of a 26,750 SF Parking Lot Expansion for property located at 22930 Roylton Road, PPN 392-06-003, zoned General Industrial.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner the proposed expansion will meet the required 10' setback from the east property line. From Engineering, the plans are in approvable form. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, there are existing cutoff fixtures on the east side of the building. We would like to see that fixture continued on the north side of the building to cover this new proposed concrete area. I don't see a need to move this on to ARB to vote on the lighting plan. I don't think we need to submit an actual lighting plan, that should cover it.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, there is no report from Fire.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. We can act on it in their absence if the Commission is ok with that. Just make it subject to the lighting as required by our Building Department.

Mr. Ice - Thank you. Any other questions, or comments?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for the Site plan approval of a 26,750 SF Parking Lot Expansion for property located at 22930 Royalton Road, PPN 392-06-003, zoned General Industrial subject to lighting as required by the Building Department.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Thank you.

Mr. Ice - Any other business to come before this Commission this evening? Seeing none, we are adjourned.

Hearing no other business to come before the Commission, the Chairman adjourned the meeting at 8:46 p.m.

Jeffrey A. Ice, Chairman